

S. 2776, to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, with an amendment.

S. 2788, to revise the boundary of the Wind Cave National Park in the State of South Dakota.

S. 2823, to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam.

S. 2872, to reinstate and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois.

S. 2880, to designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark.

S. 2893, to provide that certain Bureau of Land Management land shall be held in trust for the Pueblo of Santa Clara and the Pueblo of San Ildefonso in the State of New Mexico.

S. 2899, to establish the Atchafalaya National Heritage Area, Louisiana, with an amendment.

S. 2927, to extend the deadline for commencement of construction of a hydroelectric project in the State of Oregon.

S. 2937, to establish the Blue Ridge National Heritage Area in the State of North Carolina, with an amendment.

S. 2952, to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail.

S. 3003, to authorize a land conveyance between the United States and the City of Craig, Alaska.

S. 3005, to revise the boundary of the Kaloko-Honokohau National Historical Park in the State of Hawaii, with amendments.

S.J. Res. 44, to consent to amendments to the Hawaii Homes Commission Act, 1920, with amendments. **Pages S10114–15**

Further Resolution on Iraq: Senate continued consideration of S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq, taking action on the following amendments proposed thereto: **Pages S10063–S10108**

Pending:

Lieberman/Warner Modified Amendment No. 4856, in the nature of a substitute. **Pages S10066–67**

Graham Amendment No. 4857 (to Amendment No. 4856), in the nature of a substitute. **Page S10088**

A motion was entered to close further debate on Lieberman Modified Amendment No. 4856 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Thursday, October 10, 2002. **Pages S10106–08**

A motion was entered to close further debate on the resolution (S.J. Res. 45) and, in accordance with the provisions of Rule XXII of the Standing Rules

of the Senate, a cloture vote will occur on Thursday, October 10, 2002. **Pages S10107–08**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 11 a.m., on Wednesday, October 9, 2002. **Page S10133**

Nominations Received: Senate received the following nominations:

1 Air Force nomination in the rank of general.

4 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Navy. **Pages S10133–35**

Messages From the House: **Pages S10113–14**

Measures Referred: **Page S10114**

Executive Reports of Committees: **Pages S10115–17**

Additional Cosponsors: **Pages S10118–19**

Statements on Introduced Bills/Resolutions: **Pages S10119–20**

Additional Statements: **Pages S10111–13**

Amendments Submitted: **Page S10131**

Notices of Hearings/Meetings: **Page S10132**

Authority for Committees to Meet: **Pages S10132–33**

Privilege of the Floor: **Page S10133**

Adjournment: Senate met at 9 a.m., and adjourned at 7:25 p.m., until 9:30 a.m., on Wednesday, October 9, 2002.

Committee Meetings

(Committees not listed did not meet)

AMERICAN TRANSIT NEEDS

Committee on Banking, Housing, and Urban Affairs: Committee concluded oversight hearings to examine the conditions and performance of America's transit infrastructure, focusing on the importance of a national, seamless transportation network that meets the mobility needs of moving people in urban and rural areas, after receiving testimony from Jennifer L. Dorn, Administrator, Federal Transit Administration, Department of Transportation; David Winstead, Maryland Chamber of Commerce, Annapolis, on behalf of the U.S. Chamber of Commerce; Roy Kienitz, Maryland Department of Planning, Baltimore; Mayor Patrick L. McCrory, Charlotte, North Carolina; Eric Rodriguez, National Council of La Raza, Washington, D.C.; and Wendell Cox, Wendell Cox Consultancy, Belleville, Illinois.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Alberto Faustino Trevino, of California, to be an Assistant Secretary of Housing and Urban Development, Armando J. Bucelo, Jr., of Florida, to be a Director of the Securities Investor Protection Corporation, Carolyn Y. Peoples, of Maryland, to be an Assistant Secretary of Housing and Urban Development, Deborah Doyle McWhinney, of California, to be a Director of the Securities Investor Protection Corporation, John M. Reich, of Virginia, to be Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, Rafael Cuellar, of New Jersey, to be a Member of the Board of Directors of the National Consumer Cooperative Bank, Michael Scott, of North Carolina, to be a Member of the Board of Directors of the National Consumer Cooperative Bank, and Philip Merrill, of Maryland, to be President of the Export-Import Bank of the United States.

CLEAN WATER ACT 30TH ANNIVERSARY

Committee on Environment and Public Works: Committee concluded hearings to examine the implementation of the Clean Water Act in commemoration of its 30th anniversary, after receiving testimony from former Senators Robert Stafford and George Mitchell; G. Tracy Mehan III, Assistant Administrator for Water, Environmental Protection Agency; Thomas A. Weber, Associate Chief, Natural Resources Conservation Service, Department of Agriculture; Paul Pinault, Narragansett Bay Commission, Providence, Rhode Island, on behalf of the Association of Metropolitan Sewerage Agencies; Robert F. Kennedy, Jr., Natural Resources Defense Council, Washington, D.C., on behalf of the Waterkeeper Alliance and the Clean Water Network; and Roberta Haley Savage, Washington, D.C.; Grace Chris, White River Junction, Vermont, Kristen Hoeft, Eagan, Minnesota, and Jordan Chin, Portland, Oregon, all on behalf of America's Clean Water Foundation.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

Treaty Between the Government of the United States of America and the Government of Belize on Mutual Legal Assistance in Criminal Matters, signed at Belize on September 19, 2000, and a related exchange of notes signed at Belize on September 18 and 22, 2000 (Treaty Doc. 107-13), Treaty Between the Government of the United States of America and the Government of Ireland on Mutual Legal Assistance in Criminal Matters, signed at Washington on January 18, 2001 (Treaty Doc. 107-9), Treaty Be-

tween the Government of the Republic of India on Mutual Legal Assistance in Criminal Matters, signed at New Delhi on October 17, 2001 (Treaty Doc. 107-3), Treaty Between the Government of the United States of America and the Principality of Liechtenstein on Mutual Legal Assistance in Criminal Matters, signed at Vaduz on July 8, 2002 (Treaty Doc. 107-16), Extradition Treaty Between the United States of America and of the Republic of Peru, signed at Lima on July 26, 2001 (Treaty Doc. 107-6), Extradition Treaty Between the Government of the United States of America and the Government of the Republic of Lithuania, signed at Vilnius on October 23, 2001 (Treaty Doc. 107-4), Second Protocol Amending the Treaty on Extradition Between the Government of the United States of America and the Government of Canada, as amended, signed at Ottawa on January 12, 2001 (Treaty Doc. 107-11), and the Treaty between the Government of the United States of America and the Government of the Republic of Honduras for the Return of Stolen, Robbed, or Embezzled Vehicles and Aircraft, with Annexes and a related exchange of notes, signed at Tegucigalpa on November 23, 2001 (Treaty Doc. 107-15);

H.R. 4073, to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance programs under those Acts, with amendment in the nature of a substitute;

S. 2667, to amend the Peace Corps Act to promote global acceptance of the principles of international peace and nonviolent coexistence among peoples of diverse cultures and systems of government, with an amendment in the nature of a substitute;

H.R. 3656, to amend the International Organizations Immunities Act to provide for the applicability of that Act to the European Central Bank; and

The nominations of Joaquin F. Blaya, of Florida, to be a Member of the Broadcasting Board of Governors, Wendy Jean Chamberlin, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, Gene B. Christy, of Texas, to be Ambassador to Brunei Darussalam, Seth Cropsey, of the District of Columbia, to be Director of the International Broadcasting Bureau, Broadcasting Board of Governors, John R. Dawson, of the District of Columbia, to be Ambassador to the Republic of Peru, Samuel E. Ebbesen, of the Virgin Islands, to be a Member of the Board of Directors of the Overseas Private Investment Corporation, Antonio O. Garza, Jr., of Texas, to be Ambassador to Mexico, Maura Ann Harty, of Florida, to be an Assistant Secretary of State (Consular Affairs),

D. Jeffrey Hirschberg, of Wisconsin, to be a Member of the Broadcasting Board of Governors, Kim R. Holmes, of Maryland, to be an Assistant Secretary of State (International Organizations), Joseph Huggins, of the District of Columbia, to be Ambassador to the Republic of Botswana, Nancy P. Jacklin, of New York, to be United States Executive Director of the International Monetary Fund, David L. Lyon, of California, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, Ambassador to the Kingdom of Tonga, and Ambassador to Tuvalu, Charles Aaron Ray, of Texas, to be Ambassador to the Kingdom of Cambodia, Grover Joseph Rees, of Louisiana, to be Ambassador to the Democratic Republic of East Timor, Richard Allan Roth, of Michigan, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau, Diane M. Ruebling, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation, Ellen R. Sauerbrey, of Maryland, for the rank of Ambassador during her tenure of service as the Representative of the United States of America on the Commission on the Status of Women of the Economic and Social Council of the United Nations, Robin Renee Sanders, of New York, to be Ambassador to the Republic of Congo, Ned L. Siegel, of Florida, to be a Member of the Board of Directors of the Overseas Private Investment Corporation, Steven J. Simmons, of Connecticut, to be Member of the Broadcasting Board of Governors, C. William Swank, of Ohio, to be a Member of the Board of Directors of the Overseas Private Investment Corporation, Francis X. Taylor, of Maryland, to be an Assistant Secretary of State (Diplomatic Security) and Director, Office of Foreign Missions, with the rank of Ambassador, Linda Ellen Watt, of Florida, to be Ambassador to the Republic of Panama, and certain foreign service officer promotion lists.

NOMINATIONS

Committee on Governmental Affairs: Committee concluded hearings to examine the nominations of Ruth Y. Goldway, of California, and Tony Hammond, of Virginia, each to be a Commissioner of the Postal Rate Commission, after the nominees testified and answered questions in their own behalf. Ms. Goldway was introduced by Senator Clinton, and Mr. Hammond was introduced by Mr. Bond.

EPHEDRA USAGE

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia concluded hearings to examine the regulatory framework for dietary

supplements set forth in the Dietary Supplement Health and Education Act of 1994, and the Federal Trade Commission's efforts to ensure truthfulness and accuracy of marketing for dietary supplements, focusing on the quality, safety, and efficacy of the herb/dietary supplement Ephedra, after receiving testimony from Lester M. Crawford, Deputy Commissioner, Food and Drug Administration, Department of Health and Human Services; J. Howard Beales III, Director, Bureau of Consumer Protection, Federal Trade Commission; Charles Fricke, Logan County Coroner's Office, and Kevin and Debbie Riggins, all of Lincoln, Illinois; Lanny J. Davis, Patton Boggs, on behalf of the Metabolife International, Inc., and Sidney M. Wolfe, Public Citizen Health Research Group, both of Washington, D.C.; Bill Jeffery, Centre for Science in the Public Interest, Ontario, Canada; Ronald M. Davis, Henry Ford Health System, Detroit, Michigan, on behalf of the American Medical Association; and Frank D. Uryasz, National Center for Drug Free Sport, Inc., Kansas City, Missouri, on behalf of the National Collegiate Athletic Association.

NOMINATIONS

Committee on the Judiciary: Committee ordered favorably reported the nominations of Stanley R. Chesler, to be United States District Judge for the District of New Jersey, Rosemary M. Collyer, of Maryland, to be United States District Judge for the District of Columbia, Mark E. Fuller, to be United States District Judge for the Middle District of Alabama, Daniel L. Hovland, to be United States District Judge for the District of North Dakota, Kent A. Jordan, to be United States District Judge for the District of Delaware, James E. Kinkeade, to be United States District Judge for the Northern District of Texas, Robert G. Klausner, to be United States District Judge for the Central District of California, Robert B. Kugler, to be United States District Judge for the District of New Jersey, Ronald B. Leighton, to be United States District Judge for the Western District of Washington, Jose L. Linares, to be United States District Judge for the District of New Jersey, Alia M. Ludlum, to be United States District Judge for the Western District of Texas, William J. Martini, to be United States District Judge for the District of New Jersey, Thomas W. Phillips, to be United States District Judge for the Eastern District of Tennessee, Linda R. Reade, to be United States Judge for the Northern District of Iowa, William E. Smith, to be United States District Judge for the District of Rhode Island, Jeffrey S. White, to be United States District Judge for the Northern District of California, Freda L. Wolfson, to be United States District Judge for the District of

New Jersey, Carol Chien-Hua Lam, to be United States Attorney for the Southern District of California, Glenn T. Suddaby, to be United States Attorney for the Northern District of New York, Johnny Mack Brown, to be United States Marshal for the District of South Carolina, John Francis Clark, to be United States Marshal for the Eastern District of Virginia, Robert Maynard Grubbs, to be United States Marshal for the Eastern District of Michigan, and Joseph R. Guccione, to be United States Marshal for the Southern District of New York.

THE FERES DOCTRINE

Committee on the Judiciary: Committee concluded hearings to examine the Feres Doctrine, the Supreme Court decision which provides that active-duty military personnel or their estates cannot recover dam-

ages under the Federal Tort Claims Act where their injuries arise out of, or, are in the course of activity incident to service, after receiving testimony from Paul C. Harris, Sr., Deputy Associate Attorney General, Department of Justice; Rear Adm. Christopher E. Weaver, USN, Commandant, Naval District Washington; Maj. Gen. Nolan Sklute, USAF (Ret.), former Air Force Judge Advocate General; Maj. Gen. John D. Altenburg, USA (Ret.), former Army Assistant Judge Advocate General; Eugene R. Fidell, Feldesman, Tucker, Liefer, Fidell, and Bank, and Daniel Joseph, Akin, Gump, Strauss, Hauer, and Feld, both of Washington, D.C.; Richard A. Sprague, Sprague and Sprague, Philadelphia, Pennsylvania; and Bonnie A. O'Neill, Kingston, Pennsylvania.

House of Representatives

Chamber Action

Measures Introduced: 13 public bills, H.R. 5569–5581; 1 private bill, H.R. 5582; and 6 resolutions, H.J. Res. 119, H. Con. Res. 503–506, and H. Res. 575, were introduced. **Page H7303**

Reports Filed: Reports were filed today as follows: H.R. 2037, to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce, amended (H. Rept. 107–727, Pt. 2); and

H.R. 3758, for the relief of So Hyun Jun (Private Bill, H. Rept. 107–729).

Conference report on H.R. 3295, to establish a program to provide funds to States to replace punch card voting systems, to establish the Election Assistance Commission to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections, and for other purposes (H. Rept. 107–730). **Pages H7247–68, H7302**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker pro tempore for today. **Page H7173**

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Dr. John Putka, SM, Depart-

ment of Political Science, University of Dayton, Dayton, Ohio. **Page H7176**

Recess: The House recessed at 9:30 a.m. and reconvened at 10 a.m. **Page H7176**

Use of Force Against Iraq: The House began consideration of H.J. Res. 114, to authorize the use of United States Armed Forces against Iraq.

Pages H7189–H7247, H7268–H7301

Pursuant to the rule, the amendment to the preamble and the amendment to the text recommended by the Committee on International Relations and printed in the bill (H. Rept. 107–721) were considered as adopted.

H. Res. 574, the rule that is providing for the consideration of the joint resolution was agreed to by voice vote. **Pages H7178–86**

Suspensions: The House agreed to suspend the rules and pass the following measures that were debated on Monday, October 7.

Affirming One Nation Under God in the Pledge of Allegiance: S. 2690, amended, to reaffirm the reference to one Nation under God in the Pledge of Allegiance (agreed to by a yea-and-nay vote of 401 yeas to 5 nays with 4 voting “present”, Roll No. 445); **Pages H7186–87**

Child Abduction Prevention: H.R. 5422, amended, to prevent child abduction (agreed to by a yea-and-nay vote of 390 yeas to 24 nays, Roll No. 446); and **Page H7187**